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7 Attorneys for Complainant

8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Petition to Revoke Probation
Against:

12 **TEDDY RAYE WOMACK MADDUX, AKA**
13 **TEDDY RAYE WOMACK**
5101 Gilgunn Way
14 Sacramento, California 95822

15 Registered Nurse License No. 444578

16 Respondent.

Case No. 99-155

OAH No. N 2003060017

PETITION TO REVOKE
PROBATION

17
18 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Petition to Revoke Probation solely in her official
21 capacity as the Executive Officer of the Board of Registered Nursing ("Board"), Department of
22 Consumer Affairs.

23 **Registered Nurse License**

24 2. On or about August 31, 1989, the Board issued Registered Nurse License
25 No. 444578 to Teddy Raye Maddux, also known as Teddy Raye Womack ("Respondent"). The
26 license will expire on May 31, 2009, unless renewed.

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1 **Prior Discipline**

2 3. Effective January 5, 2000, in a disciplinary action entitled "In the Matter of
3 the Accusation Against Teddy Raye Maddux, also known as Teddy Raye Womack," Accusation
4 No. 99-155, the Board of Registered Nursing issued a Default Decision and Order, attached
5 hereto as Exhibit A and incorporated herein by reference, in which Respondent's Registered
6 Nurse License No. 444578 was revoked. On or about February 11, 2003, Respondent filed a
7 Petition for Reinstatement. The Petition for Reinstatement was granted and pursuant to the
8 Decision in OAH No. N 2003060017, attached hereto as Exhibit B and incorporated herein by
9 reference, a license was issued to Respondent and immediately revoked. The revocation was
10 stayed and Respondent was placed on probation for 5 years with conditions.

11 **JURISDICTION**

12 4. Section 2750 of the Business and Professions Code ("Code") provides, in
13 pertinent part, that the Board may discipline any licensee, including a licensee holding a
14 temporary or an inactive license, for any reason provided in Article 3 (commencing with Code
15 section 2750) of the Nursing Practice Act.

16 5. Section 2764 of the Code provides, in pertinent part, that the expiration of
17 a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding
18 against the licensee or to render a decision imposing discipline on the license. Under Code
19 section 2811, subdivision (b), the Board may renew an expired license at any time within eight
20 years after the expiration.

21 6. Code section 118, subdivision (b), provides, in pertinent part, that the
22 expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary
23 action during the period within which the license may be renewed, restored, reissued or
24 reinstated.

25 7. Grounds exist for revoking the probation and reimposing the order of
26 revocation of Respondent's Registered Nurse License No. 444578. Condition 18 of the Decision
27 and Order states:

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1 If Respondent violates that conditions of her probation, the Board after
2 giving the Respondent notice and an opportunity to be heard, may set aside the
3 stay order and impose the stayed discipline (revocation) of the Respondent's
4 license.

5 If during the period of probation, an accusation or petition to revoke
6 probation has been filed against Respondent's license, or the Attorney General's
7 Office has been requested to prepare an accusation or petition to revoke probation
8 against Respondent's license, the probationary period shall automatically be
9 extended and shall not expire until the accusation or petition has been acted upon
10 by the Board.

11 8. Respondent has violated the Probation Program, as set forth in the
12 following paragraphs:

13 **FIRST CAUSE TO REVOKE PROBATION**

14 **(Failure to Abstain from the Use of Psychotropic [Mood-Altering Drugs] and Alcohol)**

15 9. At all times after the effective date of Respondent's probation, Condition
16 14, stated:

17 Respondent shall completely abstain from the possession, injection or
18 consumption by any route of all psychotropic (mood-altering) drugs, including
19 alcohol, except when the same are ordered by a health care professional legally
20 authorized to do so and are part of documented medical treatment. Respondent
21 shall have sent to the Board, in writing and within fourteen (14) days, by the
22 prescribing physician or dentist, a report identifying the medication, dosage, the
23 date the medication was prescribed, Respondent's prognosis, the date the
24 medication will no longer be required, and the effect on the recovery plan, if
25 appropriate.

26 Respondent shall identify for the Board a single physician, nurse
27 practitioner or physician assistant who shall be aware of Respondent's history or
28 substance abuse and will coordinate and monitor any prescriptions for Respondent
for dangerous drugs, controlled substances or mood-altering drugs. The
coordinating physician, nurse practitioner or physician assistant shall report to the
Board on a quarterly basis Respondent's compliance with this condition.
If any substances considered addictive have been prescribed, the report shall
identify a program for the time limited use of any such substances.

The Board may require the single coordinating physician, nurse
practitioner or physician assistant to be a specialist in addictive medicine or to
consult with a specialist in addictive medicine.

10. Respondent's probation is subject to revocation because she failed to
comply with Probation Condition 14, referenced above. The facts and circumstances regarding
this violation are the Respondent failed to completely abstain from the use of alcoholic beverages
by testing positive alcohol on February 9, 2006; February 23, 2006; and June 26, 2007.

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1 this violation are that Respondent failed to comply with the Board's Probation Program, as set
2 forth in paragraphs 10, 12 and 14 above.

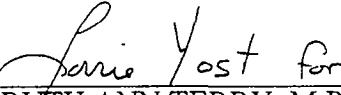
3 **PRAYER**

4 **WHEREFORE**, Complainant requests that a hearing be held on the matters
5 herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

6 1. Revoking the probation that was granted by the Board of Registered
7 Nursing in OAH No. N 2003060017 and imposing the disciplinary order that was stayed thereby
8 revoking Registered Nurse License No. 444578 issued to Teddy Raye Maddux, also known as
9 Teddy Raye Womack; and,

10 2. Taking such other and further action as deemed necessary and proper.

11 DATED: October 2, 2008
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13 
14 RUTH ANN TERRY, M.P.H., R.N.
15 Executive Officer
16 Board of Registered Nursing
17 Department of Consumer Affairs
18 State of California
19 Complainant
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03579110-SA2008301281

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition for
Reinstatement of:

TEDDY RAYE MADDUX, aka
TEDDY RAYE WOMACK
1220 13th Avenue
Sacramento, CA 95822

Registered Nurse License No. 444578

Respondent.

OAH No. N 2003060017

DECISION

The attached Decision of the Administrative Law Judge is hereby adopted by the Board of Registered Nursing as its Decision in the above-entitled matter.

This Decision shall become effective on August 30, 2003.

IT IS SO ORDERED this 31st day of July, 2003.

Sandra Erickson, CRNA

President

Board of Registered Nursing
Department of Consumer Affairs
State of California

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition for Reinstatement
of:

TEDDY RAYE MADDUX, aka
TEDDY RAYE WOMACK
1220 13TH Avenue
Sacramento, California 95822

Registered Nurse License No. 444578

Petitioner.

OAH No. N 2003060017

DECISION

This matter was heard before a quorum of the Board of Registered Nursing on June 12, 2003, in San Francisco, California. Board members present and participating were Sandra Erickson, C.R.N.A., President, LaFrancine Tate, Vice President, Grace Corse, R.N., Cynthia Johnson, Ed.D., R.N., Carmen Morales-Board, M.S.N, R.N., and Dan C. Weitzman, Public Member. Administrative Law Judge Cheryl R. Tompkin, State of California, Office of Administrative Hearings, presided.

Char Meaney, Deputy Attorney General, represented the Office of the Attorney General.

Petitioner Teddy Raye Maddux, also know as Teddy Ray Womack, appeared on her own behalf.

This matter was submitted on June 12, 2003.

FACTUAL FINDINGS

1. On August 31, 1989, the Board of Registered Nursing (Board) issued license number 444578 to Teddy Raye Maddux, also know as Teddy Ray Womack (petitioner).

2. Effective January 5, 2000, pursuant to a default decision in Case No. 99-155, the Board revoked petitioner's license. Disciplinary action was taken pursuant to Business and Professions Code sections 2761, subdivision (a) for unprofessional conduct as defined in

Business and Professions Code section 2762, subdivisions (a) [illegally obtaining, possessing or self administering a controlled substance] and (b) [use of a controlled substance in a manner dangerous or injurious to herself, others or the public or to the extent it impaired her ability to safely practice nursing]. The Board found that in 1996 while employed as a registered nurse in the emergency department of a hospital, petitioner self-administered controlled substances, to wit, amphetamine, methamphetamine and marijuana and reported for her nursing shift while she had amphetamine, methamphetamine and marijuana present in her urine. It also found that in April 1997 petitioner admitted she regularly "smoked pot."

3. On or about February 11, 2003, petitioner filed the pending petition for reinstatement.

4. Petitioner admits she smoked marijuana in 1996 and that it was probably still in her system when she tested positive during a random drug test by her employer. However, she believes the test's indication of the presence of methamphetamine was a false positive from an antihistamine she was taking at the time. Petitioner testified she has not smoked marijuana since 1996 and that she does not use drugs, drink or smoke cigarettes. She denies she has or has ever had a drug problem.

5. In 1999 petitioner left Sacramento and moved to the mountains. She did not notify the Board of her new address and therefore did not immediately receive notice of the hearing or subsequent disciplinary action by the Board. Petitioner continued to work as a registered nurse for approximately nine months following revocation of her license by the Board because she was unaware of the revocation. She found out her license had been revoked when a nurse registry she was working through was advised of the revocation when it called to verify her nursing license. Petitioner has not worked as a nurse since.

6. Following revocation of her license petitioner taught Anatomy and Physiology to students seeking careers as surgical technicians for approximately 10 months. She then took some college courses and accepted seasonal employment at Sacramento Splash teaching students about the Vernal Pools at Mather Air Force Base. She has also worked for temporary agencies. In November 2002 petitioner accepted employment as the weekend manager for Home Instead Senior Care, which provides non-medical care to seniors. She still holds the weekend manager position. In December 2002 she also began working at Argonaut Insurance. Petitioner is seeking reinstatement as a registered nurse because she loves nursing and believes she is a good nurse.

5. Petitioner submitted a letter of reference in support of her petition from her supervisor at Splash Sacramento. In the letter her supervisor attests petitioner is "safe, dependable, intelligent and likeable." In November 2002 petitioner also completed a 30 hour course on Nursing Care of the Elderly.

6. The evidence presented demonstrated that petitioner has made great strides toward rehabilitation. She has demonstrated to the satisfaction of the Board that reinstatement of her license upon relevant probationary terms and conditions is warranted.

LEGAL CONCLUSIONS

Petitioner has established that cause exists to reinstate her license as a registered nurse on a probationary basis and subject to certain terms and conditions. (Bus. & Prof. Code, § 2760; Gov. Code, § 11522.)

ORDER

The petition of Teddy Raye Maddux, also known as Teddy Ray Womack, for reinstatement of her license is granted. A license shall be issued to petitioner. Said license shall immediately be revoked, the order of revocation stayed and petitioner placed on probation for a period of five (5) years on the following conditions.

1. Petitioner shall obey all federal, state and local laws. A full and detailed account of any and all violations of law shall be reported by the petitioner to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this condition, petitioner shall submit completed fingerprint forms and fingerprint fees within forty-five (45) days of the effective date of this Decision, unless previously submitted as part of the licensure application process.

2. Petitioner shall fully comply with the conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of the petitioner's compliance with the Board's Probation Program. Petitioner shall inform the Board in writing within no more than fifteen (15) days of any address change and shall at all times maintain an active, current license status with the Board, including during any period of suspension.

3. Petitioner, during the period of probation, shall appear in person at interviews/meetings as directed by the Board or its designated representatives.

4. Periods of residency or practice as a registered nurse outside of California shall not apply toward a reduction of this probation time period. Petitioner's probation is tolled, if, and when she resides outside of California. The petitioner must provide written notice to the Board within fifteen (15) days of any change of residency or practice outside the state, and within thirty (30) days prior to re-establishing residency or returning to practice in this state.

Petitioner shall provide a list of all states and territories where she has ever been licensed as a registered nurse, vocational nurse, or practical nurse. Petitioner shall further provide information regarding the status of each license and any changes in such license status during the term of probation. Petitioner shall inform the Board if she applies for or obtains a new nursing license during the term of probation.

5. Petitioner, during the period of probation, shall submit or cause to be submitted such written reports/declarations and verification of actions under penalty of perjury, as required by the Board. These reports/declarations shall contain statements relative to petitioner's compliance with all the conditions of the Board's Probation Program. Petitioner shall immediately execute all release of information forms as may be required by the Board or its representatives.

Petitioner shall provide a copy of this decision to the nursing regulatory agency in every state and territory in which she has a registered nurse license.

6. Petitioner, during the period of probation, shall engage in the practice of registered nursing in California for a minimum of twenty-four (24) hours per week for six (6) consecutive months or as determined by the Board.

For purposes of compliance with the section, "engage in the practice of registered nursing" may include, when approved by the Board, volunteer work as a registered nurse, or work in any non-direct patient care position that requires licensure as a registered nurse.

The Board may require that advanced practice nurses engage in advanced practice nursing for a minimum of twenty-four (24) hours per week for six (6) consecutive months or as determined by the Board.

If petitioner has not complied with this condition during the probationary term, and the petitioner has presented sufficient documentation of her good faith efforts to comply with this condition, and, if no other conditions have been violated, the Board, in its discretion, may grant an extension of the petitioner's probation period up to one (1) year without further hearing in order to comply with this condition. During the one year extension, all original conditions of probation shall apply.

7. Petitioner shall obtain prior approval from the Board before commencing or continuing any employment, paid or voluntary, as a registered nurse. Petitioner shall cause to be submitted to the Board all performance evaluations and other employment related reports as a registered nurse upon request of the Board.

Petitioner shall provide a copy of this decision to her employer and immediate supervisor prior to commencement of any nursing or other health care related employment.

In addition to the above, petitioner shall notify the Board in writing within seventy-two (72) hours after she obtains any nursing or other health care related employment. Petitioner shall notify the Board in writing within seventy-two (72) hours after she is terminated or separated, regardless of cause, from any nursing, or other health care related employment with a full explanation of the circumstances surrounding the termination or separation.

8. Petitioner shall obtain prior approval from the Board regarding petitioner's level of supervision and/or collaboration before commencing or continuing any employment as a registered nurse, or education and training that includes patient care.

Petitioner shall practice only under the direct supervision of a registered nurse in good standing (no current discipline) with the Board of Registered Nursing, unless alternative methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are approved.

Petitioner's level of supervision and/or collaboration may include, but is not limited to, the following:

- a. Maximum - The individual providing supervision and/or collaboration is present in the patient care area or in any other work setting at all times.
- b. Moderate - The individual providing supervision and/or collaboration is in the patient care unit or in any other work setting at least half the hours petitioner works.
- c. Minimum - The individual providing supervision and/or collaboration has person-to-person communication with petitioner at least twice during each shift worked.
- d. Home Health Care - If petitioner is approved to work in the home health care setting, the individual providing supervision and/or collaboration shall have person-to-person communication with petitioner as required by the Board each work day. Petitioner shall maintain telephone or other telecommunication contact with the individual providing supervision and/or collaboration as required by the Board during each work day. The individual providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to patients' homes visited by petitioner with or without petitioner present.

9. Petitioner shall not work for a nurse's registry, in any private duty position as a registered nurse, for a temporary nurse placement agency, as a traveling nurse or for an in-house nursing pool.

Petitioner shall not work for a licensed home health agency as a visiting nurse unless the registered nursing supervision and other protections for home visits have been approved by the Board. Petitioner shall not work in any other registered nursing occupation where home visits are required.

Petitioner shall not work in any health care setting as a supervisor of registered nurses. The Board may additionally restrict petitioner from supervising licensed vocational nurses and/or unlicensed assistive personnel on a case-by-case basis.

Petitioner shall not work as a faculty member in an approved school of nursing or as an instructor in a Board approved continuing education program.

Petitioner shall work only on a regularly assigned, identified and predetermined worksite(s) and shall not work in a float capacity.

If petitioner works or intends to work in excess of forty (40) hours per week, the Board may request documentation to determine whether there should be restrictions on the hours of work.

10. Petitioner, at her own expense, shall enroll and successfully complete a refresher course and such other course(s) relevant to the practice of registered nursing as may be designated by the Board no later than six (6) months prior to the end of her probationary term.

Petitioner shall obtain prior approval from the Board before enrolling in the course(s). Petitioner shall submit to the Board the original transcripts or certificates of completion for the above required course(s). The Board shall return the original documents to petitioner after photocopying them for its records.

11. Petitioner shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code Section 125.3 in the amount of five thousand six hundred thirty seven dollars (\$5,637.00). Petitioner shall be permitted to pay these costs in a payment plan approved by the Board, with payments to be completed no later than three months prior to the end of the probation term.

12. Within forty-five (45) days of the effective date of this decision, petitioner, at her expense, shall have a licensed physician, nurse practitioner, or physician assistant, who is approved by the Board before the assessment is performed, submit an assessment of petitioner's physical condition and capability to perform the duties of a registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If medically determined, a recommended treatment program will be instituted and followed by petitioner with the physician, nurse practitioner, or physician assistant providing written reports to the Board on forms provided by the Board.

If petitioner is determined to be unable to practice safely as a registered nurse, the licensed physician, nurse practitioner, or physician assistant making this determination shall immediately notify the Board and petitioner by telephone, and the Board shall request that the Attorney General's Office prepare an accusation or petition to revoke probation. Petitioner shall immediately cease practice and shall not resume practice until notified by the Board. During this period of suspension, petitioner shall not engage in any practice for which a license issued by the Board is required until the Board has notified petitioner that a medical determination permits petitioner to resume practice. This period of suspension will not apply to the reduction of this probationary time period.

If petitioner fails to have the above assessment submitted to the Board within the forty-five (45) day requirement, petitioner shall immediately cease practice and shall not resume practice until notified by the Board. This period of suspension will not apply to the reduction of this probationary time period. The Board may waive or postpone this suspension only if significant, documented evidence of mitigation is provided. Such evidence must establish good faith efforts by petitioner to obtain the assessment, and a specific date for compliance must be provided.

13. Petitioner, at her expense, shall successfully complete during the probationary period or shall have successfully completed prior to commencement of probation a Board-approved treatment/rehabilitation program of at least six (6) months duration. As required, reports shall be submitted by the program on forms provided by the Board. If petitioner has not completed a Board-approved treatment/rehabilitation program prior to commencement of probation, petitioner, within forty-five (45) days from the effective date of this decision, shall be enrolled in a program. If a program is not successfully completed within the first nine (9) months of probation, the Board shall consider petitioner in violation of probation.

Based on Board recommendation, each week petitioner shall be required to attend at least one but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed by the Board. If a nurse support group is not available, an additional 12-step meeting or equivalent shall be added. Petitioner shall submit dated and signed documentation confirming such attendance to the Board during the period of probation. Petitioner shall continue with the recovery plan recommended by the treatment/rehabilitation program or a licensed mental health examiner and/or other ongoing recovery groups.

14. Petitioner shall completely abstain from the possession, injection or consumption by any route of all psychotropic (mood altering) drugs, including alcohol, except when the same are ordered by a health care professional legally authorized to do so as part of documented medical treatment. Petitioner shall have sent to the Board, in writing and within fourteen (14) days, by the prescribing health professional, a report identifying the medication, dosage, the date the medication was prescribed, petitioner's prognosis, the date the medication will no longer be required, and the effect on the recovery plan, if appropriate.

Petitioner shall identify for the Board a single physician, nurse practitioner or physician assistant who shall be aware of petitioner's history of substance abuse and will coordinate and monitor any prescriptions for petitioner for dangerous drugs, controlled substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician assistant shall report to the Board on a quarterly basis petitioner's compliance with this condition. If any substances considered addictive have been prescribed, the report shall identify a program for the time limited use of any such substances.

The Board may require the single coordinating physician, nurse practitioner, or physician assistant to be a specialist in addictive medicine, or to consult with a specialist in addictive medicine.

15. Petitioner, at her expense, shall participate in a random, biological fluid testing or a drug screening program which the Board approves. The length of time and frequency will be subject to approval by the Board. Petitioner is responsible for keeping the Board informed of petitioner's current telephone number at all times. Petitioner shall also ensure that messages may be left at the telephone number when she is not available and ensure that reports are submitted directly by the testing agency to the Board, as directed. Any confirmed positive finding shall be reported immediately to the Board by the program and shall be considered a violation of probation.

In addition, petitioner, at any time during the period of probation, shall fully cooperate with the Board or any of its representatives, and shall, when requested, submit to such tests and samples as the Board or its representatives may require for the detection of alcohol, narcotics, hypnotics, dangerous drugs, or other controlled substances.

If petitioner has a positive drug screen for any substance not legally authorized and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the Board files a petition to revoke probation or an accusation, the Board may suspend petitioner from practice pending the final decision on the petition to revoke probation or the accusation. This period of suspension will not apply to the reduction of this probationary time period.

16. Petitioner shall, within forty-five (45) days of the effective date of this decision, have a mental health examination including psychological testing as appropriate to determine her capability to perform the duties of a registered nurse. The examination will be performed by a psychiatrist, psychologist or other licensed mental health practitioner approved by the Board. The examining mental health practitioner shall submit a written report of that assessment and recommendations to the Board. All costs are the responsibility of the petitioner. Recommendations for treatment, therapy or counseling made as a result of the mental health examination will be instituted and followed by petitioner.

If petitioner is determined to be unable to practice safely as a registered nurse, the licensed mental health care practitioner making this determination shall immediately notify the Board and petitioner by telephone and the Board shall request that the Attorney General's Office prepare an accusation or petition to revoke probation. Petitioner shall immediately cease practice and may not resume practice until notified by the Board. During the period of suspension, petitioner shall not engage in any practice for which a license issued by the Board is required, until the Board has notified petitioner that a mental health determination permits petitioner to resume practice. This period of suspension will not apply to the reduction of this probationary period.

If petitioner fails to have the above assessment submitted to the Board within the forty-five (45) day requirement, petitioner shall immediately cease practice and shall not

resume practice until notified by the Board. This period of suspension will not apply to the reduction of this probationary time period. The Board may waive or postpone this suspension only if significant, documented evidence of mitigation is provided. Such evidence must establish good faith efforts by petitioner to obtain the assessment, and a specific date for compliance must be provided. Only one such waiver or extension may be permitted.

17. Petitioner, at her expense, shall participate in an on-going counseling program until such time as the Board releases him/her from this requirement and only upon the recommendation of the counselor. Written progress reports from the counselor shall be required at various intervals.

18. If petitioner violates the conditions of her probation, the Board after giving petitioner notice and an opportunity to be heard, may set aside the stay order and impose the stayed discipline (revocation) of petitioner's license.

If during the period of probation, an accusation or petition to revoke probation has been filed against petitioner's license or the Attorney General's Office has been requested to prepare an accusation or petition to revoke probation against petitioner's license, the probationary period shall automatically be extended and shall not expire until the accusation or petition to revoke probation has been acted upon by the Board.

19. During petitioner's term of probation, if she ceases practicing due to retirement, health reason or is otherwise unable to satisfy the conditions of probation, petitioner may surrender her license to the Board. The Board reserves the right to evaluate petitioner's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered license and wall certificate, petitioner will no longer be subject to the conditions of probation.

Surrender of petitioner's license will be considered a disciplinary action and shall become a part of petitioner's license history with the Board. A registered nurse whose license has been surrendered may petition the Board for reinstatement no sooner than the following minimum periods from the effective date of the disciplinary decision:

- a. Two years for reinstatement of a license that was surrendered for any reason other than a mental or physical illness; or
- b. One year for a license surrendered for a mental or physical illness.

Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not

be affected. Each term condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

Upon successful completion of probation, petitioner's license shall be fully restored.

DATED: 7/31/03

Sandra Erickson
SANDRA ERICKSON, C.R.N.A.
President
Board of Registered Nursing
State of California

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Exhibit A
Default Decision and Order
Board of Registered Nursing Case No. 99-155

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7 BEFORE THE
8 BOARD OF REGISTERED NURSING
9 DEPARTMENT OF CONSUMER AFFAIRS
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

) NO. 99-155

12 TEDDY RAYE MADDUX, also known as
13 TEDDY RAYE WOMACK

)
)
) DEFAULT DECISION
) AND ORDER

14 9887 Daron Lane
15 Sacramento, California 95829
16 Registered Nurse License No. 444578

17 Respondent.
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25 Respondent Teddy Raye Maddux, also known as Teddy Raye Womack, having
26 been served with the Accusation, Statement to Respondent, and Notice of Defense form as
27 provided in sections 11503 and 11505 of the Government Code of the State of California,
and having failed to file a Notice of Defense within the time allowed by section 11506 of
said code, the Board of Registered Nursing has determined that respondent has waived her
rights to a hearing to contest the merits of said Accusation; that respondent is in default, and
that this agency will take action on the Accusation and evidence herein without a hearing,
and makes the following findings of fact:

28 **FINDINGS OF FACT**

29 1. The Accusation was made and filed by Ruth Ann Terry, M.P.H.,
30 R.N., in her official capacity as Executive Officer, Board of Registered Nursing, Department
31 of Consumer Affairs, State of California.

1 2. On August 31, 1989, the Board of Registered Nursing issued
2 Registered Nurse License No. 444578 to Teddy Raye Maddux, also known as Teddy Raye
3 Womack (hereinafter referred to as "respondent"). The license was in full force and effect at
4 all times relevant herein and will expire on May 31, 2001, unless renewed.

5 3. Drugs

6 a. "Amphetamine" is a Schedule II controlled substance as
7 designated by Health and Safety Code section 11055(d)(1).

8 b. "Marijuana," sometimes referred to as a "cannabinoid," is a
9 Schedule I controlled substance as designated by Health and Safety Code section
10 11054(d)(13).

11 c. "Methamphetamine" is a Schedule II controlled substance as
12 designated by Health and Safety Code section 11055(d)(2).

13 4. On or about October 21, 1996, while on duty as a registered nurse in
14 the emergency department at Methodist Hospital in Sacramento, California, respondent was
15 requested by her employer to submit a urine sample for the purpose of testing it for the
16 presence of controlled substances or alcohol. Analysis of respondent's sample confirmed the
17 presence of marijuana, methamphetamine, and amphetamine, controlled substances.

18 5. Respondent has subjected her license to discipline under Business and
19 Professions Code section 2761(a), on the grounds of unprofessional conduct as defined by
20 section 2762(a) of that code, in the following respects:

21 a. On or about October 21, 1996, while employed as a registered
22 nurse in the emergency department at Methodist Hospital in Sacramento, California,
23 respondent self-administered controlled substances, to wit, amphetamine, methamphetamine
24 and marijuana, as set forth in paragraph 4, above, without direction from a licensed
25 physician and surgeon, dentist, or podiatrist.

26 ///

27 ///

1 b. Respondent self-administered marijuana, a controlled substance,
2 without direction from a licensed physician and surgeon, dentist, or podiatrist, based on her
3 own admission in April 1997 that she "smoked pot" on a regular basis.

4 6. Respondent has subjected her license to discipline under Business and
5 Professions Code section 2761(a), on the grounds of unprofessional conduct as defined by
6 section 2762(b) of that code, in that respondent used controlled substances in a manner
7 dangerous or injurious to herself, others, or to the public, or to an extent that it impaired her
8 ability to safely conduct the practice of registered nursing inasmuch as she reported for her
9 shift while she had amphetamine, methamphetamine and marijuana present in her urine, as
10 set forth in paragraphs 4 and 5, above.

11 7. Respondent has subjected her license to discipline under Business and
12 Professions Code section 2761(a) on the grounds of unprofessional conduct, as set forth in
13 paragraphs 4 through 6, above.

14 8. As of October 10, 1999, the costs incurred by the Board of Registered
15 Nursing for the investigation and enforcement of this case are \$5,637.00.

16 DETERMINATION OF ISSUES

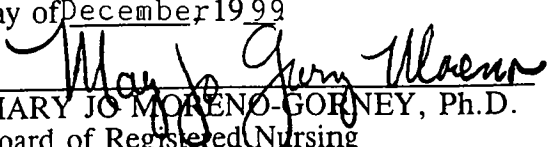
17 Based on the foregoing findings of fact, respondent has subjected her license to
18 discipline under Business and Professions Code sections 2761(a), 2762(a), and 2762(b).

19 ORDER

20 WHEREFORE, for the aforesaid causes, the Board of Registered Nursing
21 makes its order revoking Registered Nurse License No. 444578, issued to Teddy Raye
22 Maddux, also known as Teddy Raye Womack.

23 This decision shall become effective on the 5th day of January, 2000.

24 Dated and signed this 6th day of December 1999

25 
26 MARY JO MORENO-GORNEY, Ph.D.
27 Board of Registered Nursing
 Department of Consumer Affairs
 State of California

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2 MAUREEN McKENNAN STRUMPFER, Bar No. 161571
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3 1300 I Street, Suite 125
Post Office Box 944255
4 Sacramento, California 94244-2550
Telephone: (916) 445-2069
5

6 Attorneys for Complainant
7
8

9 BEFORE THE
10 BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
11 STATE OF CALIFORNIA
12

13 In the Matter of the Accusation Against:

NO. 99-155

14 TEDDY RAYE MADDUX, also known as
TEDDY RAYE WOMACK
15 9887 Daron Lane
Sacramento, California 95829
16 Registered Nurse License No. 444578

ACCUSATION

17 Respondent.
18

19 Ruth Ann Terry, M.P.H., R.N., as causes for discipline, alleges:
20

- 21 1. Complainant Ruth Ann Terry, M.P.H., R.N., makes and files this
22 accusation in her official capacity as Executive Officer, Board of Registered Nursing,
23 Department of Consumer Affairs, State of California.
- 24 2. On August 31, 1989, the Board of Registered Nursing issued
25 Registered Nurse License No. 444578 to Teddy Raye Maddux, also known as Teddy Raye
26 Womack (hereinafter referred to as "respondent"). The license was in full force and effect at
27 all times relevant herein and has been renewed through May 31, 2001.

1 3. Under Business and Professions Code section 2750, the Board of
2 Registered Nursing may discipline any licensee, including a licensee holding a temporary or
3 an inactive license, for any reason provided in Article 3 of the Nursing Practice Act.

4 4. Under Business and Professions Code section 2764, the expiration or
5 suspension of a license by operation of law or by decision of the board or a court, shall not
6 deprive the board of jurisdiction to proceed with a disciplinary proceeding against the
7 licensee or to render a decision imposing discipline on the license. Under Business and
8 Professions Code section 2746.8, a registered nurse license may be renewed within eight
9 years of its expiration.

10 5. Under Business and Professions Code section 125.3, the Board of
11 Registered Nursing may request the administrative law judge to direct a licentiate found to
12 have committed a violation or violations of the licensing act to pay a sum not to exceed the
13 reasonable costs of the investigation and enforcement of the case.

14 6. Drugs

15 a. "Amphetamine" is a Schedule II controlled substance as
16 designated by Health and Safety Code section 11055(d)(1).

17 b. "Marijuana," sometimes referred to as a "cannabinoid," is a
18 Schedule I controlled substance as designated by Health and Safety Code section
19 11054(d)(13).

20 c. "Methamphetamine" is a Schedule II controlled substance as
21 designated by Health and Safety Code section 11055(d)(2).

22 7. On or about October 21, 1996, while on duty as a registered nurse in
23 the emergency department at Methodist Hospital in Sacramento, California, respondent was
24 requested by her employer to submit a urine sample for the purpose of testing it for the
25 presence of controlled substances or alcohol. Analysis of respondent's sample confirmed the
26 presence of marijuana, methamphetamine, and amphetamine, controlled substances.

27 ///

1 8. Respondent has subjected her license to discipline under Business and
2 Professions Code section 2761(a), on the grounds of unprofessional conduct as defined by
3 section 2762(a) of that code, in the following respects:

4 a. On or about October 21, 1996, while employed as a registered
5 nurse in the emergency department at Methodist Hospital in Sacramento, California,
6 respondent self-administered controlled substances, to wit, amphetamine, methamphetamine
7 and marijuana, as set forth in paragraph 7, above, without direction from a licensed
8 physician and surgeon, dentist, or podiatrist.

9 b. Respondent self-administered marijuana, a controlled substance,
10 without direction from a licensed physician and surgeon, dentist, or podiatrist, based on her
11 own admission in April 1997 that she "smoked pot" on a regular basis.

12 9. Respondent has subjected her license to discipline under Business and
13 Professions Code section 2761(a), on the grounds of unprofessional conduct as defined by
14 section 2762(b) of that code, in that respondent used controlled substances in a manner
15 dangerous or injurious to herself, others, or to the public, or to an extent that it impaired her
16 ability to safely conduct the practice of registered nursing inasmuch as she reported for her
17 shift while she had amphetamine, methamphetamine and marijuana present in her urine, as
18 set forth in paragraphs 7 and 8, above.

19 10. Respondent has subjected her license to discipline under Business and
20 Professions Code section 2761(a) on the grounds of unprofessional conduct, as set forth in
21 paragraphs 7 through 9, above.

22
23 WHEREFORE, complainant prays a hearing be had and that the Board of
24 Registered Nursing make its order:

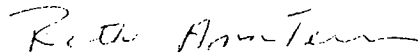
25 1. Revoking or suspending Registered Nurse License No. 444578, issued
26 to Teddy Raye Maddux, also known as Teddy Raye Womack.

27 / / /

1 2. Ordering Teddy Raye Maddux to pay to the Board its costs in the
2 investigation and enforcement of the case according to proof at the hearing pursuant to
3 Business and Professions Code section 125.3.

4 3. Taking such other and further action as may be deemed proper and
5 appropriate.

6 DATED: 6/23/99

7 
8 RUTH ANN TERRY, M.P.H., R.N.
9 Executive Officer
10 Board of Registered Nursing
11 Department of Consumer Affairs
12 State of California

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Complainant

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